

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION OPIOID  
LITIGATION

MDL No. 2804

*This Document Relates to:*

CASE NO: 1:17-md-2804

*All Cases Noted on the Attached Ex. A*

JUDGE DAN AARON POLSTER

**STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE OF  
THE DISTRIBUTOR DEFENDANTS**

The undersigned, as appointed Liaison Counsel between the Texas State Opioid MDL and this Court, submit the following. In accordance with the terms of the settlement agreements entered into between the Plaintiff Political Subdivisions identified in the attached Exhibit A (collectively “the Dismissing Plaintiffs”) and Defendants McKesson Corporation, McKesson Medical-Surgical Inc., Cardinal Health, Inc., Cardinal Health 105, Inc., Cardinal Health 108, LLC, Cardinal Health 110, LLC, Cardinal Health 112, LLC, Cardinal Health 200, LLC, Cardinal Health 414, LLC, AmerisourceBergen Corporation, and AmerisourceBergen Drug Corporation, (collectively and together with their Released Entities, the “Distributor Defendants”<sup>1</sup>), the Dismissing Plaintiffs and the Distributor Defendants hereby stipulate to the dismissal of the Dismissing Plaintiffs’ claims with prejudice against the Distributor Defendants only.

Date: September 30, 2022

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<sup>1</sup> The Released Entities are each and every entity of any of the Settling Distributor Defendants that is a “Released Entity” as set forth in Section I.HHH and Exhibit J of the Distributor Settlement Agreement, dated as of March 25, 2022. Exhibit B, attached hereto, together with the above listed entities, represents a good faith effort by the Settling Distributor Defendants to list all Released Entities that may be individually named in any of the Dismissing Plaintiffs’ complaints. Exhibit B is not intended to limit the scope of Released Entities, and to the extent that Dismissing Plaintiffs or Settling Distributor Defendants subsequently identify any Released Entity that should have been included on Exhibit B, they will inform the Clerk of the Court.

Agreed as to form and substance:

Respectfully submitted,

/s/ Jeffrey B. Simon

Jeffrey B. Simon

TX State Bar No. 00788420

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*On behalf of the Court-Appointed Plaintiffs' Steering Committee, Chair*

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112, LLC, Cardinal Health 200, LLC, Cardinal  
Health 414, LLC*

SO ORDERED this \_\_\_\_ Day of \_\_\_\_, 2022.

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The Hon. Dan Aaron Polster  
U.S. District Court Judge  
Northern District of Ohio

**CERTIFICATE OF SERVICE**

I hereby certify that on September 30, 2022, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF System.

/s/Jeffrey B. Simon  
Jeffrey B. Simon